IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

AFFORDABLE PORTABLE STRUCTURES, INC. and JFJ GROUP, INC.,	§	
Plaintiffs,	§	
v.	§	1:16-cv-1267-RP
THE CINCINNATI INSURANCE COMPANY and ALFRED GRAY,	§	
Defendants.	§	

ORDER

Before the Court is Plaintiffs' motion to dismiss this action with prejudice. (Dkt. 13). On May 23, 2017, the Court remanded this action to the 200th District Court of Travis County, Texas, having found that the Court lacked subject matter jurisdiction over this dispute. (Dkt. 10). The district clerk has closed this action. Because the Court remanded this action for lack of subject matter jurisdiction, it lacks the authority to rule on Plaintiffs' motion. *See Bogle v. Phillips Petroleum Co.*, 24 F.3d 758, 762 (5th Cir. 1994) (holding that it was error for a district court to grant plaintiffs' nonsuit motion after remanding the case for lack of subject matter jurisdiction). Therefore, Plaintiffs' motion, (Dkt. 13), is **DENIED**.

SIGNED on January 2, 2018.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE